

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

JOSEPH JACKSON,

Plaintiff,

V.

NASSAU COUNTY; THE INCORPORATED VILLAGE OF FREEPORT; DETECTIVE ROBERT DEMPSEY; DETECTIVE GARY ABBONDANDELO; DETECTIVE JOHN M HOLLAND; DETECTIVE MICHAEL HERTS; DETECTIVE MARTIN ALGER; DETECTIVE ANTHONY SORRENTINO; DETECTIVE DAVID L. ZIMMER; POLICE OFFICER MELENDEZ; LIEUTENANT BURDETTE; SERGEANT MCHALE; SERGEANT NOLL; DETECTIVE SHARKEY; POLICE OFFICER DOWDELL; POLICE OFFICER BARRY MCGOVERN; DETECTIVE TURNER; DETECTIVE EDWARD HAGGERTY; POLICE OFFICER HALL; DETECTIVE LAURETTE KEMP; DETECTIVE WILLIAM TWEEDY; DETECTIVE ANTHONY KOSIER; DETECTIVE SERGEANT DAN SEVERIN; DETECTIVE JERL MULLEN; THE ESTATE OF DETECTIVE JERL MULLEN; JOHN DOE, AS THE ADMINISTRATOR OF THE ESTATE OF JERL MULLEN; and JOHN and JANE DOE 1 through 20,

Defendants.

18 CV 3007 (JS) (GRB)

**NOTICE OF MOTION FOR  
SANCTIONS AND OTHER  
RELIEF AGAINST NASSAU  
COUNTY AND GARY  
ABBONDANDELO**

PLEASE TAKE NOTICE that upon the declaration of Gabriel P. Harvis, attorney for plaintiff Joseph Jackson, and exhibits annexed thereto; and the Memorandum of Law, and upon all the prior pleadings and proceedings herein,

plaintiff, by and through his attorneys, hereby moves this Honorable Court, the United States District Court for the Eastern District of New York, for an order (1) finding that defendants Abbondandolo and Nassau County engaged in spoliation by failing to preserve and/or destroying evidence; (2) granting a default judgment or, in the alternative, a preclusive order and mandatory adverse inference against these defendants; (3) granting plaintiff reasonable attorneys' fees and costs associated with defendants' conduct in this regard; and (4) such other relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(a), opposition papers are due within seven days.

Dated: New York, New York  
September 6, 2019

ELEFTERAKIS, ELEFTERAKIS & PANEK



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Gabriel P. Harvis  
Baree N. Fett  
80 Pine Street, 38<sup>th</sup> Floor  
New York, New York 10005  
(212) 532-1116

*Attorneys for plaintiff*

To: All Counsel